

ACORN PARK CONDOMINIUM HANDBOOK

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The Acorn Park Condominium Board of Trustees has prepared this Handbook for the benefit of all homeowners and residents of Acorn Park. It contains important telephone numbers, general information about the property, procedures, and rules and regulations. It is intended to supplement the Acorn Park condominium documents (the Master Deed and Condominium Trust), which should have been provided upon transfer of ownership. Each owner and resident should thoroughly review the condominium documents. In case of discrepancy or lack of clarity in this Handbook, the condominium documents shall prevail.

In the event that you sell your home, this copy of the Resident Handbook and the condominium documents should be transferred to the new owner. If you decide to lease your home, you should provide your tenant with a copy of this Handbook.

IMPORTANT PHONE NUMBERS

<u>Name</u>	<u>Title</u>	<u>Phone</u>	<u>When to Call</u>
David Fisher Fisher Financial P.O. Box 120 Brookline, MA 02446	Financial Manager	617/738-4940	Questions about your individual condominium fees or invoice; request for MGL Chapter 6(d) certificate in connection with the sale of your home (required by buyer's lender to show that condo fee payments are current at closing date); 6(d) certificates are also required for closing on a refinancing of your loan.
Stephen Badger Waste Water Environmental Mgmt., Inc.	Treatment Plant Operator	978/692-8010 (M-F 9-5) 781/532-1217 (pager) (use for nights & weekend hours) 978/256-1841(home)*	Grinder pump failure or malfunction (there is a spare at the plant that can be placed in your home, see page 14 of handbook for more information); questions about the proper use and operation of the grinder pump.
<u>other operating personnel</u>		978/256-3094 (home)* 978/453-7786 (home)*	*Once you have called the pager, please do not call any of the home phone numbers for 20 minutes.
Hub International New England Jamie E. Trussell, VP email:Jamie.trussell@hubinternational.com Insurance Agent for Condominium		978/661-6854 fax#866-703-4439 for certificates: nee.certificates@hubinternational.com	Call for information on Master Policy coverage; certificates needed for re-financing;

TOWN NUMBERS

Highway Department	978/264-9624	Questions or concerns about snow removal
Building Department	978/264-9632	Information and applications for Building Permits
Engineering Department	978/264-9628	For clarification of lot lines; for purposes of fence installation, the department will come and view the proposed location to make sure it is within your lot.

BOARD OF TRUSTEES (2015-2016)

Name	Phone	Position/Responsibility	Term Ends
Lisa Lapinski	263-6994	President	2016
Krish Iyer	273-8877	Communications	2017
Michael Lillie	274-2498	Sewer Treatment Plant	2016
Matt Onken	274-2740	Landscape & Architecture	2017
Vikram Bhalchandra	781.205.4808	At-large	2016
Angela Chen	394-6575	Finance	2017
Harsh Walia	849-0457	Secretary	2017

*Note: All requests for architectural improvements/changes should be submitted to Matt Onken

Board Meetings

The Board of Trustees meets on an as needed basis. The date, time and location of each meeting will be announced to all homeowners via email communication. Homeowners wishing to present an issue or concern at a Board meeting should contact a Board member prior to the meeting. All Board meetings are open to Acorn Park homeowners, but if you want to attend, please contact the member hosting the meeting to ensure adequate seating.

Annual Meeting

The Annual Meeting of the Acorn Park Condominium Association is for all members of the Acorn Park community. It is usually held in October. The annual meeting agenda generally includes the election of new trustees, a review of the financial status of the association, a recap of the past year's accomplishments, presentation of the coming year's plans, and open discussion of matters of concern to members. All residents are encouraged to attend, even though only owners have voting privileges (one vote per unit).

Election of Trustees

The Acorn Park Condominium Trust is managed by a seven-member Board of Trustees, whose members are elected to 2-year terms (November 1st to October 31st) at the Annual Meetings.

Under an amendment to the Condominium Trust approved at the Annual Meeting in 2000, the presence of 51% of the unit owners at an annual meeting constitutes a quorum for purposes of electing trustees. Each unit is entitled to one vote, and where there is joint ownership, the co-owners may be required to designate in writing which owner will exercise the voting power at homeowners' meetings. Unit owners may designate a neighbor to vote by proxy for them at meetings. Forms to make these selections are distributed with meeting notices.

Message from the Trustees

As homeowners in the Acorn Park Condominium, each of us owns an indivisible share of this neighborhood we call home. Living in a condominium is different from living in a single family home. The value of our investment in our homes is dependent, in large part, on the investment of all members of the community in their homes and in the common property. We live in close proximity to our neighbors, and therefore our actions have a more immediate effect on others. The actions of one homeowner can affect the individual quality of living and the property values of other homeowners. Condominium living means that the area around your home is not private property, but instead belongs to everyone in the Association. As a result, it is subject to the rules and restrictions of the Association. Each homeowner has a special obligation to work with the Trustees to preserve the quality and value of Acorn Park.

This Handbook is one way to convey our common community values. It contains information about our method of governing and the manner in which we choose to regulate ourselves. It has information about the resources available to members of the Association for maintaining our property. Please take time to read this Handbook and help support a wonderful community.

THANK YOU FROM THE TRUSTEES!!

GENERAL INFORMATION

What Do We Own Individually? – the “EUA”

Because we are a single-family home condominium, our ownership rights and responsibilities differ substantially from those characteristics of the typical multi-unit condominium community.

Each homeowner (called a “Unit Owner” in the Master Deed) owns his or her house. Along with the house goes an “exclusive use area” (EUA), which is the portion of the Condominium land on which the house sits. It is called an “exclusive use area” because each Unit Owner has outright title to the house only and not to the lot that goes with it. What each Unit Owner does have title to is the exclusive right to live on and use that piece of land, along with the exclusive responsibility for taking care of it.

As set forth in the Master Deed creating the Condominium, each Unit Owner has title to a certain percentage of the entire Acorn Park Condominium Land, including Common Areas (the areas known as “useable open space”) and Facilities (that is, the wastewater treatment plant and related sewer system). Each Unit Owner also owns an easement to use all utility lines and common facilities located on common areas (such as telephone and electrical conduit located underground from which each house receives service).

It is because we each own a piece of an indivisible interest (the Common Lands and Facilities) that we have a Condominium Association through which all Unit Owners can manage how the Acorn Park community looks and maintain property values for the benefit of all homeowners.

(Please refer to page 11 of the Handbook, Rules and Regulations - Unit Owner Responsibilities for the Home and EUA, for more information concerning the scope of ownership)

COMMON AREAS **“Yours, Mine and Ours”**

What are the Common Areas in Acorn Park?

The Association is responsible for maintaining the common areas, which include the tree lawns at the front of the neighborhood along Acorn Park Drive, except for those in front of individual homes, the entrance area, the wastewater treatment plant and the lot on which it sits, the retention ponds and surroundings, and several parcels throughout the community of what is called “useable open space” on the maps of Acorn Park.

Wastewater Treatment Plant

Located inside the building on the large fenced lot on Acorn Park Drive, the wastewater treatment plant serves all Acorn Park homes as well as the Vision New England building (the only commercial unit in the condominium). In addition to the treatment plant itself, the system includes the leaching field, which is located under portions of the fenced lot, and is where the cleaned effluent goes after processing; and a low-pressure sewer system that takes the waste from each home to the plant.

The Massachusetts Department of Environmental Protection (“DEP”) regulates the operation of the plant, and issues a groundwater discharge permit to the Association every 5 years. Under the current permit, the plant is designed to accommodate 82 four-bedroom homes and one 14,000 sq. foot office building, with a maximum daily flow of 39,750 gallons. Anyone interested in reviewing the permit may contact the Board Secretary.

The Association employs an operator to maintain the wastewater treatment plant. The operator spends on average a ½ hour daily at the plant ensuring that everything is in good working order. The operator also periodically conducts various tests of the groundwater to make sure the effluent coming out of the treatment plant is sufficiently clean to satisfy Massachusetts environmental standards, as defined in our discharge permit.

Common Area Land

Common area parcels such as the large lot on which the plant sits and the tree lawns by the entrance as well as other landscaped areas and the retention ponds, are maintained by a landscaping company employed by the Association. In addition to keeping these areas attractive, the Association has a responsibility to keep them safe. Because Acorn Park is entirely privately owned, the Association (the organization of all homeowners) is liable for the safety of residents and visitors alike while on common areas. The Association maintains third-party liability insurance for protection in the event any claim arises.

Monthly Common Area Fees

Each homeowner is a member of the Acorn Park Condominium Trust, and as such has a financial obligation to the Trust. Each owner is obligated to pay his/her share of the common expenses of the Trust. These expenses come in the form of regular monthly assessments, or fees, as determined by the annual budgeting process and, when required, special assessments to pay for extraordinary expenses.

Fines and late charges may be imposed upon a homeowner for failure to comply with the financial obligations and rules of the Trust. Any such assessments are the personal obligation of the owner to pay and also constitute liens against the property. Failure to pay fully one's financial obligations to the Trust could result in difficulty in selling one's home, legal action by the Trust against the homeowner, and even foreclosure by the Trust. In addition, the failure to pay monthly fees results in hardship for the other members of the Trust who must pick up the expense.

How Are Fees Calculated?

Each fall, the Trustees calculate the Association's budget for the following year. There are two separate budgets, as required by the Master Deed: (1) the Common Area Expenses, which include all expenses related to landscaping, property management, insurance premiums, legal fees and other items that do not involve the wastewater treatment plant; and (2) the Sewer Expenses, which include plant management, operation, testing, permit fees, reserves for future repair or replacement of plant equipment, and all other expenses related to the wastewater treatment plant.

The regular monthly assessment for Common Area Expenses varies for each unit (home). The per unit assessment is based upon the ratio of the total square feet of each unit, (including garage, attic and basement whether or not finished), to the total square feet of all units together. Exhibit C to the Master Deed reflects the allocated percentages for each unit; this document is amended each time a new unit is added to the Condominium. The office building is counted as three units in the monthly assessment. Sewer Expenses is the same for each unit, and is determined by dividing the sewer expense budget by the number of units. The office building is counted as three units in calculating the sewer-related portion of the monthly fee.

When Are Fees Due?

- all monthly fees are due on the first day of the month for the coming month.
- If the fee is not received by the financial manager on or before the fifteenth of the month in which it is due, a late charge of \$25.00 is automatically assessed and will appear on the next month's invoice.
- If fees are delinquent past sixty days, the Association must turn the matter over to its counsel, as the Massachusetts condominium statute limits the time

within which a condominium association can enforce its collection rights against a unit owner.

When You Sell Your Home

When you sell your home, the condominium and real estate laws require that certain documents be provided at closing due to the unique nature of a condominium ownership interest.

1. The *seller* of a condominium unit is generally required to provide a 6(d) Certificate. This is a legal document, which certifies that all fees are paid in full as of the last day of the month in which the closing of the sale occurs. The financial manager will issue the certificate when all monies due the Association are paid in full. Please refer to page 9, Fees, for further information regarding 6(d) Certificates.
2. When you sell your home, you can recover your initial \$1,000 deposit paid toward the common area reserve fund from the buyer of your home. You should make the recovery of this deposit a condition of sale in the purchase and sale agreement.
3. The *buyer* is usually required to provide the mortgage lender a Certificate of Insurance. This document certifies the amount of insurance coverage provided by the condominium's Master Insurance Policy. The buyer can contact the insurance agent directly to obtain the certificate. Information regarding the current insurance agent can be found on page 2 of this Handbook.

Refinance of a Home Mortgage

The homeowner is required to provide a 6(d) Certificate to the lender for the reasons stated above.

Schedule of Fees and Fines

The Board of Trustees has determined that the following fees must be paid by unit owners for the following services that benefit individual owners rather than the entire Association. These fees are as low as possible both so that the individual unit owner is not burdened and so that condominium fees do not have to be increased.

<u>Service</u>	<u>Cost</u>	<u>Make Check out to:</u>
<u>6(d) Certificates:</u>	\$25.00	Fisher Financial
<u>Condominium Documents:</u>	copying costs	Acorn Park Condominium

Fines

The Board may impose fines upon unit owners for violations of the provisions of the Master Deed, Condominium Trust, and Rules and Regulations set forth in this Handbook. The Board shall first provide written notice of an identified violation to the Unit Owner. If the violation is not corrected within 30 days following the homeowner's receipt of written notification, the homeowner may be assessed as follows:

Day 31-Day 60	\$15.00 per day
Day 61-Day 90	\$25.00 per day
Day 91- until corrected	\$50.00 per day

Fines accumulate daily until the violation ceases. Collection of fines may be enforced against the unit owner/s as if the fines were Common Area Expenses owed by the owner/s.

RULES AND REGULATIONS

Unit Owner Responsibilities for the Home and EUA

In Acorn Park, each Unit Owner is responsible for the maintenance, repair and/or replacement of his or her house and the accompanying lot (EUA). This includes the interior and exterior of the house, as well as everything above and below ground on the lot, including, but not limited to, the following:

The House

roof	furnaces
windows	grinder pumps (see page 13 of this handbook for information on grinders)
decks	heating and air-conditioning systems
porches	hot water heaters
foundation	

The Exterior Lot Area

lawns	driveways
plantings	walkways
landscaping	parking areas
trees	mailboxes
sprinkler systems	
tree lawns (strip between sidewalk and street)	

Utility and Sewer Lines within the Lot, including underground

- *sewer pipes
- cable lines
- telephone lines
- ducts, wires, meters
- all utility lines

*For example, a leak or break in a sewer pipe located underground on an EUA/Lot is the Unit Owner's financial responsibility, whereas a leak or break located under the street becomes the Association's responsibility.

HOME MAINTENANCE STANDARDS

Because we are neighbors *sharing ownership* in a first-class community, we have an obligation to keep our homes and lots in good repair – that is:

- Houses -- freshly painted and any broken glass immediately replaced
- Shrubs and trees -- kept in healthy condition and neatly trimmed
- Roofs -- watertight and in good repair
- Lawns -- mown to a reasonable height, no higher than 3 ½ inches

These are all common sense measures, and hardly need mentioning! However, should the Trustees determine that any of these basic maintenance standards are being violated, the Trustees have the responsibility and right to notify the concerned homeowner in writing of the specific violation and a suggested remedy.

If a homeowner does not either resolve the problem within 30 days of notification, or request additional time by the close of 30 days, the Trustees can hire a contractor to take care of it on the Association's behalf.

In this worst-case scenario, the *homeowner is liable for the entire cost of the work performed, plus a 10% administration fee*. These assessed costs are enforceable as though part of regular condominium fees, and take priority over the mortgage company's lien.

GARAGES AND PARKING

- Garages are to be used for private, non-commercial passenger vehicles, and can also be used for the storage of furniture, household items, toys, bicycles, boats, canoes, and boat and canoe trailers, as long as all of the foregoing are kept inside the garage at all times (except when being transported or in use).
- The term "private non-commercial passenger vehicle" refers to an automobile, minivan, sport utility vehicle, or small pickup truck, so long as the vehicle is primarily used for the transportation of passengers rather than cargo. The fact that a vehicle bears "commercial" license plates will not, in and of itself, render the vehicle a commercial vehicle. Function governs over form.
- Garages may not be used for human habitation, nor may they be converted into living or other accessory use without the written approval of the Trustees.

RECREATIONAL VEHICLES

A homeowner may keep no more than one (1) recreational vehicle or vessel with related trailer outside on his or her EUA/lot under the following conditions:

- The vehicle is for the personal or family recreational use of the homeowner;
- The vehicle must be kept in a neat and orderly manner, and must be covered;
- The vehicle must be kept to the rear of the dwelling and placed so as to limit the visibility of the vehicle from the street.

PETS

No "farm animals" (for example, livestock, horses, cows, sheep, goats, pigs, poultry, bees) may be owned or cared for on Acorn Park property. Domestic dogs, cats and birds may be kept as pets.

Dog-Walking Rules:

Dog owners are prohibited from allowing their pets to deposit waste of any kind on the EUA (lot) of any Acorn Park resident. For purposes of this rule, the EUA includes the tree lawn between the side walk bordering the unit owner's lawn and the street.

- Dog owners are required to clean up after their pets when solid waste is deposited anywhere on the common areas of Acorn Park.
- After due notice and a hearing, the Board may require a unit owner to dispose of any pet which has habitually violated applicable laws or community regulations concerning pets, or which has damaged the property of a unit owner or occupant.

SIGNS

No signs, whether professional, business, altruistic or otherwise are allowed on individual lots. The only exceptions are “for sale”, “for rent” or “for lease” signs, and political signs associated with an event such as an election, primary, town meeting or voter registration. Political signs shall not be erected more than 25 days prior to such event and shall be removed within 5 days after the event, in accordance with Town by-laws.

STONE WALLS

No unit owner may dismantle a stonewall that has existed within the boundaries of his or her EUA prior to the construction of the house located on the EUA, without first obtaining written approval from the Board of Trustees.

SWIMMING POOLS

A homeowner may build an in-ground swimming pool – after obtaining written approval from the Board of Trustees. (see Architectural Review process, below). Note that a Town Building Permit is required to install a swimming pool. Above-ground swimming pools are prohibited.

TRASH

Trash should not be put out at the curb before 6:00pm the evening before the scheduled pick-up day. Emptied trash receptacles should be moved away from the curb by 10:00am on the day after the date of scheduled trash pick-up. At all times, trash containers should be stored as close as possible to the house.

TREES

Homeowners may not cut down any trees on their lot greater than 10" in diameter without the written approval of the Board of Trustees.

GRINDER PUMPS – CARE AND USE

Each home has an Environment One grinder pump, which is installed in the basement of the home. This grinder pump grinds solids in the wastewater from the home and pumps the wastewater into the sewer lines leading from the home to the wastewater treatment plant by way of lines located under the streets. Each homeowner is responsible for the cost of repair of the grinder pump and the cost of maintenance and/or repair of the sewer lines leading from the house to the street connection.

What Maintenance Does My Grinder Need?

The manufacturer of the grinder pumps does not recommend any annual or preventive maintenance of the pumps

How Long Will My Grinder Last?

The average life span of a grinder pump is about 8 to 10 years, although some units may fail as soon as 5 years and others last 20 years.

Is Damage Caused by Grinder Failure Covered by My Insurance?

Sewage backup is NOT covered under most standard home insurance policies. However, a rider can be attached to most policies to cover sewage backup.

How Do I Know If My Grinder Has Failed?

If the unit fails, wastewater will not be pumped from your home, and will instead build up in the holding tank; when this happens, a red light on the tank should light, and/or an audible alarm will sound (if, of course, there is electrical power in the neighborhood).

What Should I Do If My Grinder Pump Fails?

1. STOP ALL WATER USE IN THE HOUSE!

- Stop using toilets and showers
- Plug all sinks and tubs that are in use
- Shut off the washing machine
- Shut off the dishwasher

WARNING: If you continue using the water, an overflow of wastewater into your home is very likely, typically at the sink or toilet that is at the lowest level in the home. **You have approximately 6 gallons of capacity from the moment the alarm goes off until it starts to backup within your sewage pipes.**

- 2. CALL THE TREATMENT PLANT OPERATOR OR A PLUMBER QUALIFIED TO FIX ENVIRONMENT ONE GRINDERS**
3. If you call the Plant Operator, he can replace the failed unit with a spare grinder pump that is kept at the plant building. The spare unit is available only through the Plant Operator and not through any independent plumber. The Plant Operator will install the spare unit in your home as soon as possible and the damaged unit will be repaired. When the damaged unit is repaired it will be then be reinstalled in the unit. ***The homeowner is responsible for the cost of repairing the damaged unit removed from the home, along with the cost of installing the loaner grinder and the newly rebuilt grinder.*** .

NOTE: In some homes, the contractor that installed the grinder pump may have shortened the electrical supply cords from their original factory length, which is 10 feet. If this is the case with your unit, the spare unit CANNOT be used in your home, as the cord on your unit may be too short for use in other Acorn Park homes. In these circumstances, the failed unit in your home will need to be removed, repaired and reinstalled at your expense.

What Happens in the Event of a Power Failure?

Power Failures Lasting 3 Days or Less

Because the grinder pumps operate on electricity, they will stop working when there is a power failure. STOP all water usage immediately – no flushing, draining sinks, tubs or showers. NOTHING SHOULD GO DOWN THE DRAIN until power is restored. This is because the grinder pump tank may be full and could overflow once power is restored, with disastrous results, if you continue sending material into it.

Power Failures Lasting More than 3 Days

In the event of an extended power failure, the Board will make all efforts to make the portable generator located in the plant building available to drain grinder pumps in the neighborhood. You are advised to have an electrician certify that the outside electrical connection (gray box usually on side of house where grinder is located) is properly connected to your grinder and in working order.

What Should I Do When I'm Going To Be Away on Vacation?

If you are planning to be away for more than two weeks, you should run clean water until the pump activates, then shut off the water and let the pump run until it shuts off. If possible, leave the power on while you are away, in the event that water flow from a leaky faucet or toilet gets into the tank and can be pumped out.

Can I Connect My Sump Pump or Foundation Drains to My Grinder?

NO, absolutely not!! Water from your sump or other basement drains is clean and does not need to be processed at the plant. Such water should be channeled to the outside of your home. The consequence of connecting such sources to the treatment plant is to increase the flow to the plant, and that could result in inadequate treatment of the water that needs to be cleaned.

Are There Materials I Should Not Put Down the Sink or Flush Down the Toilet?

YES!!!! There are materials that should never be put into the wastewater treatment system and could damage the grinder pump if they are. These “poisons” include:

explosives	flammable materials	antifreeze
strong chemicals	gasoline	brake or transmission fluid
lubricating oil	grease	large amounts of bleach or
pesticides	disinfectants	chlorine (usual laundry use is OK)
acids	expired medicines	
paints and solvents	varnish	

In addition to possibly damaging your grinder pump, these materials could cause groundwater contamination in the leach field of the treatment plant. Our plant is not designed to treat industrial and commercial wastes – the materials listed above would simply pass through the system and right out into the field. The DEP operating permit for our plant requires the Association to periodically test the groundwater. The Association would be held liable for any groundwater contamination caused by our plant.

INDIGESTIBLE materials

There is a second category, of “indigestible” materials, that will not ruin the grinder, but will settle into the treatment plant pre-treatment holding tanks, increasing operating costs -- and condominium fees -- because the tanks must be pumped out more frequently than normal. Those materials include:

cooking fats and oils	plastics	sanitary napkins and tampons
paper towels	cloth	condoms
facial tissues	cigarette butts	disposable diapers
newspapers	cat litter	dental floss
rags	coffee grounds	

NO WHOLE TURKEYS, PLEASE!!!

Finally, while most of the homes are equipped with garbage disposals in the kitchen, all homeowners should try to minimize the amount of food waste

dumped into their disposals. The wastewater treatment plant really is not designed to handle kitchen waste. Scrapings from dishes are OK, but please don't throw away large quantities of meat or other solid foods into the disposal. Put it in a plastic bag and put it out with the trash.

GRINDER EMERGENCY PHONE NUMBERS

Waste Water Environmental Management Inc. – Acorn Park Sewage Facility Contractor

If you experience grinder problems, please call:

Working hours Monday thru Friday 978-692-8010

After Hours Pager (Nights/Weekends) 781-532-1217

Wait for beeps, enter your phone number, wait for beeps, hang up.

F.R. Mahony & Associates, Inc. – Local distributor for EOne grinder systems

781-982-9300 or 800-791-6132 www frmahony com

GRINDER TYPES

Each home has an Environmental One grinder pump, which is installed in the basement of the home. There are three different types of grinders in Acorn Park:

***(please note: this information dates back to the 1990's. Updated grinders with different model numbers may now be available)*

- 200 Series: The first few homes built have this type of grinder. If your unit does not have an external control black box, it is likely a 200 Series.
- 2000 Series: If you do not live on Palmer Lane and you have a unit with an external control box, this is the model you have.
- 2010 IDU Series: All houses on Palmer Lane have this model.

For more information on Environmental One systems, you can visit their web site at
www.eone.com

NOTE: Acorn Park maintains an on-site backup grinder for the 200 series units**.

GRINDERS - OTHER

Grinder Alarms

Each grinder unit contains an alarm system. The alarms are usually located close to the grinder and cannot be heard very easily. Therefore, some homeowners have installed remote alarms on the first floor that can be heard throughout the house.

William Harland, a local electrician is aware of what needs to be installed and can be contacted at 978-263-8844. Several years ago, the cost estimate for grinder alarm installation was \$250.

Back-Flow Valve

The ideal installation of your grinder would have a back flow valve on either side of your grinder. All connections at a minimum should have a shut-off valve between the grinder and the street (this keeps the nasty stuff from flowing back into your house if the grinder is removed). In addition to the valve, ideally another back-flow valve should be installed between the grinder and the inflow from your home. This enables anyone removing the grinder to stop any built up nasty stuff from flowing down into the grinder when the pump is removed for service.

If you are interested in having a back-flow valve installed, you can contact Papalia Plumbing at 978-287-7700. Several years ago the cost of this installation was estimated at \$250.

Are you insured?

Sewage backup is NOT covered under most standard home insurance policies. There is a rider that can be attached to your policy to cover sewage backup. Check with your insurance agent.

ARCHITECTURAL REVIEW PROCESS AND STANDARDS

Acorn Park unit owners are required to obtain approval from the Board of Trustees before undertaking certain interior modifications and all exterior modifications or improvements. Article 9(b) of the Acorn Park Master Deed and Section 5.9 of the Condominium Trust govern the architectural review process. This section of the Handbook is intended to consolidate the referenced provisions from the governing documents and clarify the process for homeowners.

"WHEN DO I NEED TO GET BOARD APPROVAL?"

INTERIOR MODIFICATION

With two important exceptions, there are generally no restrictions on interior modifications. Those two exceptions are:

- You must seek Board approval for an interior project if that project will cause any dislocation, impairment, interruption or any other adverse impact to Common Areas or Common Facilities.
- **You may not modify your home to increase the number of bedrooms beyond four.** The Master Deed explicitly prohibits any modification to Acorn Park homes that results in “an increase in either the actual or calculated discharge into the sewer system.” Because the calculated wastewater discharge into the sewer system is based upon the total number of four bedroom homes in Acorn Park, the addition of a fifth bedroom by definition constitutes an increase in the “calculated discharge” into the system. The addition of fifth bedrooms in Acorn Park could lead to a violation of our groundwater discharge permit, as the plant has a maximum capacity of 39,750 gallons. If the calculated discharge is increased by the addition of bedrooms, Acorn Park could be forced to construct a second wastewater treatment plant – a disastrous situation, since the community has neither the space nor the financial resources to build one!

EXTERIOR MODIFICATION

All exterior modifications require written pre-approval by the Board of Trustees.
Exterior modification includes all buildings, structures and improvements, such as the following:

Additions and Renovations:
Additions to home
Porches, screened or not
Decks
Dormers
Bay windows

Additional Structures:
Fences Terraces
Garages Swimming Pools
Storage Sheds
Garden House
Major landscaping

Other Alterations:
Removal of trees larger than
10" in diameter
Removal of stone walls
Exterior paint when color
changes

"WHAT STEPS DO I NEED TO TAKE TO OBTAIN BOARD APPROVAL OF MY PROJECT?"

1. *Submit an application for approval and supporting documentation to the Trustee with the Architecture & Landscaping responsibility.* At the back of this Handbook is a form, entitled "Request for Approval of Addition or Alteration", which you can copy and use to apply for Board approval. As indicated on that form, you must submit the following items with the application:
 - ***Detailed drawings of your proposed project***, including: the dimensions of the structure, if applicable; the identification of the materials to be used in the project; if the project adds to the footprint of your home, the distance between the new addition and the lot lines (the setback); the paint colors to be used if the project is an exterior construction project.
 - ***Approximate start and finish dates for your project***
 - ***Name, license number and contact information for your contractor***, if you have chosen a contractor at the time of the application. This means the contractor's address and phone number, and state construction license number.
2. ***The Board will make a decision on the application following the receipt of all required information.*** Once the Board has reviewed your application, you will receive a decision from the Board with any project specifications or additional requests for information.
3. **Documents required before construction begins:**
 - ***Certificate of Insurance from your contractor -- you must submit this to the Board five (5) days before construction begins.*** For the protection of the Association from potential liability claims arising from the performance of your project, the Board must receive a certificate of insurance from the contractor's insurance carrier naming Acorn Park Condominium as an additional insured under the contractor's general liability and workers' compensation insurance. The naming of the homeowner alone as an additional insured provides insufficient protection to the Association. **Note:** If you did not previously provide the licensing information about your contractor, you must provide that along with the insurance certificate.

If you are performing the construction work yourself, the insurance requirement does not apply. The Association is protected in that instance by the Covenant, see below, which holds the Association free of any liability associated with your project.

- *A copy of the Building Permit – you must submit this to the Board 5 days before construction begins.* If your project is one for which the Town of Acton requires a Building Permit, you must forward a copy to the Board.

**Failure to submit to the Association any of the above-mentioned documents before the start of construction will result in a fine of \$15/day per document, beginning with the day construction begins. Any fines imposed upon a homeowner become part of, and are considered to be, Common Expenses owed by that homeowner, and payment is enforceable under the condominium laws of Massachusetts.

5. Additional Requirements:

Limits on Work Hours and Time for Completion of Approved Projects

- *Contractors may work between the hours of 7:00a.m. and 8:00p.m., Monday through Friday, and between 9:00a.m. and 5:00p.m. on Saturday and Sunday.* Work may not be performed at other hours of the day.
- *All work must be commenced within 120 days of the date of the Board Decision and completed within 6 months of this date.* If the work is not started or completed within these limits, the Board's approval of the project becomes void.

"WHAT STANDARDS DOES THE BOARD OF TRUSTEES USE TO DECIDE WHETHER TO APPROVE MY PROPOSED IMPROVEMENT?"

In reviewing a request to approve a home improvement project, the Board must look at the specific restrictions written into the Master Deed, regarding fence height and number of bedrooms, for example. Aside from those specific restrictions written in the documents, however, the Board is given wide discretion in considering a proposal, and can consider a number of factors, some of which are listed below. The goal is for the Board to balance the rights of homeowners to modify their homes and lots, with the interests of all residents in maintaining property values in Acorn Park.

Standards taken from the condominium documents:

Fence Height – 4 or 6 feet – Maximum height for fencing erected forward of the house on the lot is 4 feet. Maximum height for fencing erected anywhere else on the lot is 6 feet. These restrictions apply to fences, walls and any other similar structures. (e.g, if it looks like a fence or a wall, it is one!) NO chain link fence allowed anywhere.

Total Number of Bedrooms May Not Exceed Four – the Town of Acton Building Department, per the Board of Health, enforces this restriction by requiring written affirmation by the homeowner that a proposed project (finishing a basement or attic) will not be used as a bedroom. A copy of any such letters must be sent to the Board Secretary also.

Set back Requirements – 10 feet from lot line for additions – No homeowner may build an addition or expansion of his or her home closer than ten feet from a lot (EUA) line and 20 feet from the boundary of the condominium land. Both the Master Deed and Acton Zoning By-Laws require a minimum of 20 feet between dwellings and a minimum front yard set back to the street of 20 feet.

Discretionary Standards

The condominium documents permit the Board to consider any reasonable criteria, as long as those criteria are uniformly applied, in deciding whether to approve a home improvement project. The overriding goal is to ensure that the proposed project does not diminish the character and harmony of appearance of Acorn Park. The following are some of the criteria the Board may consider:

- ◆ Size of proposed project
- ◆ Design of proposed project
- ◆ Location on lot
- ◆ Building materials
- ◆ Color of roof, doors, trim and any other features
- ◆ Architectural style and details
- ◆ Height of building or structure
- ◆ Effect of the proposed project on the light, view or air of any other unit
- ◆ Effect of the proposed project on the Common Areas and/or Facilities
- ◆ Whether the proposed project is in keeping with the character of Acorn Park

The Board has unanimously approved criteria for storage sheds, garden houses or any similar structures. We recognize that most lots are not compatible for sheds or similar structures based on the following criteria:

- Set back requirements, as stated above, must be completely met;
- The structure must not be visible from streets or ways;
- The structure must be suitably screened from neighbors;
- The structure must meet the architectural standards of Acorn Park dwellings in style and details. ie: wood structures with shingled roofs;
- The structure must be kept in good repair;
- The footprint of said structure should be no more than 100 square feet in size.

APPENDIX ---- FORMS

- A. Homeowner's Architectural Review Checklist
- B. Request for Approval of Addition or Alteration

HOMEOWNER'S ARCHITECTURAL REVIEW CHECKLIST

Before Board's Decision:

- Submit "Request for Approval of Addition or Alteration" form to Board (includes description of project, drawings showing dimensions of structure, paint colors and set back from lot lines, as applicable) and contractor's State license number if available at this time.

After Board Decision and no less than FIVE DAYS BEFORE Work Begins:

- Submit a certificate of insurance from your contractor naming the Association as an additional insured.
- Submit a copy of the Building Permit for your project
- Obtain your contractor's State license number and provide to Board if you have not done this already
- If any excavation will be done in your yard, make sure your contractor has called DIG SAFE, or do it yourself.

ACORN PARK CONDOMINIUM
REQUEST FOR APPROVAL OF ADDITION OR ALTERATION

INSTRUCTIONS TO OWNER: Please complete the form and submit it to the Board of Trustees. Permission must be obtained PRIOR to the start of work. Please include a description of the addition/alteration and a scale drawing. Thank you.

Name

Address

NATURE OF ADDITION/ALTERATION:

(Description should include, as applicable: materials to be used, dimensions of addition, setbacks from lot lines, paint colors)

Expected Start Date for Project:

Approximate Completion Date:

Name, Address and License # of Contractor(s):

Signature of Unit Owner(s)

Date